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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	NO. 3:23-CR-00076-JD
)	
Plaintiff,)	STIPULATION AND [PROPOSED] ORDER TO
)	CONTINUE HEARING AND EXCLUDE TIME
v.)	FROM SEPTEMBER 18, 2023, TO OCTOBER 23,
)	2023
ESMUN MOYSES MORAL-RAUDALES,)	
)	
Defendant.)	

Counsel for the United States and counsel for the defendant Esmun Moyses Moral-Raudales hereby jointly request to continue the change of plea to October 23, 2023.

Additionally, the parties stipulate that time be excluded under the Speedy Trial Act from September 18, 2023, through October 23, 2023, so that the parties may continue to review discovery and discuss a potential resolution. For these reasons, the parties stipulate and agree that excluding time until October 23, 2023 will allow for the effective preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties further stipulate and agree that the ends of justice served by excluding the time from September 18, 2023, through October 23, 2023 from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

The undersigned Assistant United States Attorney certifies that he has obtained approval from

STIPULATION AND [PROPOSED] ORDER TO CONTINUE HEARING AND EXCLUDE TIME
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counsel for the defendant to file this stipulation and proposed order.

IT IS SO STIPULATED.

DATED: September 12, 2023

/s/

GEORGE O. HAGEMAN
Assistant United States Attorney

DATED: September 12, 2023

/s/


MATTHEW DIRKES
Counsel for Defendant Esmun Moyses Moral-
Raudales

~~[PROPOSED]~~ ORDER

Based upon the facts set forth in the stipulation of the parties and for good cause shown, the Court continues the hearing from September 18, 2023, to October 23, 2023. The Court finds that failing to exclude the time from September 18, 2023, through October 23, 2023, would unreasonably deny defense counsel and the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time from September 18, 2023 to October 23, 2023 from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. Therefore, and with the consent of the parties, IT IS HEREBY ORDERED that the time from September 18, 2023 through October 23, 2023 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

IT IS SO ORDERED.

DATED: 9/18/2023



~~HON. PETER H. KANG~~
~~United States Magistrate Judge~~
HON. JAMES DONATO
United States District Judge